fault, the rule of law is clear. 29 Cyc. 521. If the apprehension of danger is reasonable, only the care and prudence of an ordinary man under the same circumstances is required. *Dolson* v. *Dunham,* 96 Minn. 227, 104 N. W. 964; *Shaffer* v. *Beaver Val. Traction Co.,* 229 Pa. 533, 79 Atl. 122. Although the occurrence causing fright must not be trivial, *South Covington & C. St. R. R. Co.* v. *Ware,* 84 Ky. 267, and plaintiff's position of danger clearly must have resulted from defendant's, and not his own, negligence, *Texas & P. Ry. Co.* v. *Myers* (Tex. 1910), 125 S. W. 49; *Grand Rapids & Ind. R. R. Co.* v. *Ellison,* 117 Ind. 234, the fact that the act taken was not the best choice, or would not have been taken on more deliberate judgment, or that the danger was merely apparent, or that no injury would have been sustained had the plaintiff remained passive, does not defeat recovery. WHARTON, NEGLIGENCE, Ed. 2, § 304, *Blyston-Spencer* v. *United Rys. Co.,* 152 Mo. App. 118, 132 S. W. 1175; *Mitchell* v. *So. Pac. R. R. Co.,* 87 Cal. 62; *Cody* v. *N. Y. & N. E. R. R. Co.,* 151 Mass. 462, 7 L. R. A. 843. The reasonableness of the bewilderment or fear of danger and of the action resulting in injury is for the jury. WHARTON, (*supra*), § 377; *Twomley* v. *Central Park N. & E. River R. R. Co.,* 69 N. Y. 160. An analogous question of law, similarly treated by the courts, is presented when one is injured in the attempt to save another's life, placed in danger by the negligence of the defendant. See note 27 L. R. A. (N. S.) 1069; 9 MICH. L. REV. 353.

CORPORATIONS—LIABILITY OF CORPORATION IN ACTION FOR DECEIT.—Action for deceit against defendant mining company and three of its directors, plaintiff alleging that the purchase of certain capital stock of the company had been induced by fraudulent statements made by the director selling the same, and by the company through its prospectus. Defendant company objected to the sufficiency of the complaint on the ground that the mining company, being a corporation, could not be sued for deceit, but was liable only to a rescission. *Held,* that the corporation was exactly in the position of a natural person and might be sued for deceit. *Gunderson* v. *Havana-Clyde Mining Co.* (N. D. 1911), 133 N. W. 554.

The ruling in the case is correctly said to be in accord with the "better doctrine" and the "modern rule." 1 CLARK AND MARSHALL, PRIV. CORP., § 238 (a), (b); 5 THOMP., CORP., § 5492. See also §§ 5474, 5481. But see *contra,* 1 COOK, CORP., § 157. The basic question is, of course, that of the imputation of intent or malice to the corporation. As bearing upon this see 6 MICH. L. REV. 57 at pp. 61 et seq.; 9 MICH. L. REV. 719.

ESTOPPEL—SCHOOL LANDS—TITLE OF STATE.—The State sued to establish title to a tract of disputed school lands, of which the defendant had been in possession under claim of ownership for 11 years, with full knowledge on the part of the State of his possession and claim of ownership under his homestead entry in 1898. In 1904, after survey and resurveys, section 43 was established and a patent issued to defendant from the United States. The State knew this and that the land had, since 1904, been assessed and taxed to defendant as "section 43"; that he had regularly paid his taxes so levied; and that such taxes were annually accepted and used by the State. The boun-